



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LHE
F. #2019R00029

*271 Cadman Plaza East
Brooklyn, New York 11201*

September 27, 2022

TO BE FILED UNDER SEAL

By ECF and E-Mail

The Honorable Ann M. Donnelly
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Robert Sylvester Kelly
Criminal Docket No. 19-286 (S-3) (AMD)

Dear Judge Donnelly:

The government respectfully submits this letter to correct its September 9, 2022 submission, which contained an arithmetic error. Specifically, in the letter the government estimated Stephanie's out-of-pocket cost for obtaining eight courses of herpes treatment to be \$3,370.32. This should have been described as the estimate for her annual expense during the 15 years that she was uninsured and in need of herpes treatment.¹ Multiplying that annual expense to account for each such year, the government amends its requested restitution for this period to be \$50,638.80, plus restitution for Stephanie's expenses going forward in the amount of \$19,942.92. This yields a total restitution payment to Stephanie to compensate her for her herpes treatment of \$70,581.72, which, together with restitution for her mental health treatment in the amount of \$8,400 yields total restitution to Stephanie in the amount of \$78,981.72.

¹ The defendant infected Stephanie with herpes at some point in 2009 and she obtained insurance coverage in August of 2016, at which time she began daily treatment.

The government thanks the Court for bringing this error to the government's attention.

Respectfully submitted,

BREON PEACE
United States Attorney

By: /s/ Lauren Howard Elbert
Lauren Howard Elbert
Assistant U.S. Attorney
(718) 254-7577

cc: Clerk of Court (by ECF)
Defense counsel (by E-mail)